

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Philip Watson

Art Unit: 3672

Serial No.: 10/659,500

Examiner: William Sneuder

Filed: September 10, 2003

For: Casing Alignment Tool

Mail Stop Interference

Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

DECLARATION UNDER RULE 131(a)

Dear Sir:

Philip Watson, the applicant in the above-identified patent application, declares as follows:

1. That sometime prior to January 2002, I was working on the problem of casing misalignment that often occurs when running tubulars in a well bore. When the tubulars are connected end-to-end in deep well bores, the tubulars tend to deviate from a desirable straight alignment. The task of casing alignment is even more complicated in an offshore location, where a large gap of approximately 90 feet exists between an underwater wellhead and the bottom of the offshore platform, which is located above the water surface. The connected tubulars tend to bend and become misaligned in relation to the outer casing. Rig personnel use chains and air tuggers in an effort to re-align the tubular extending to the platform. However, there are few fixed stable point on an offshore rig that can be used for securing of a cable or chain when pulling the tubular into alignment.
2. That having witnessed this problem numerous times, I came up with an idea of using the wellhead as a fulcrum for pulling the inner tubular into alignment with the help of a pair of vertically spaced-apart clamps.
3. That my concept was to have a bottom clamp connect to a wellhead and use it as a fulcrum. The upper clamp would be contacting the tubular and exerting force against the tubular. A nylon strap would be secured to the upper clamp and wrapped around the misaligned tubular. An air tugger or a winch would be used to tighten the strap and cause the tubular to move into the desired position in the well bore.
4. That sometime in the spring of 2000, I discussed the problem and my suggested solution with Mr. Patrick Perkins, who had worked in the oilfield for over twenty years and whose knowledge in the field I valued. I drew a rough sketch of the tool and showed it to Mr. Perkins.

5. I asked Mr. Perkins to make a crude experimental prototype based on my sketch and test it on his next wellhead job. I asked Mr. Perkins to keep my idea in confidence as I was intending to file for a patent and Mr. Perkins agreed.
6. That in June of 2000, Mr. Perkins had an opportunity to build the prototype according to my sketch and test it in the field. Mr. Perkins confirmed that the crude experimental prototype of the tool, which he had built based on my sketch and tested on the oilfield, did work.
7. That I continued to work on the concept of the casing alignment tool using a two-arm design and an external power source. I thought that I needed to make some adjustments in the design relating to the applied force and clamps to make the tool attractive to the rig owners and personnel.
8. That in December 2000 I made a better drawing of the tool. A copy of that drawing dated December 2, 2000 is attached as Exhibit 1 hereto.
9. While continuing to perfect the tool design, I made further revisions in the initial concept. These revisions are illustrated in the three sheets of drawings and one page description dated June 3, 2003, which are attached hereto as Exhibit 2.
10. That in August-September 2003, I caused a patent application prepared and filed with the U.S. Patent Office disclosing two embodiments of my invention, one of the embodiments using hydraulic power to push the casing into alignment and the second- using the two-arm lever design.

The declarant further states that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: 2-7-2005

Philip Watson
Philip Watson

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Art Unit: 3672
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Alexandria, VA 22313-1450

LETTER UNDER 37 C.F.R. § 1.608(b)

Sir:

Attached hereto are a Declaration under 37 C.F.R. § 1.608(b) of Philip Watson, Applicant herein, with attached Exhibit A, and corroborating Affidavit of Patrick Perkins, in support of a Request for Interference with U.S. Patent No. 6,827,143.

The effective date of McGuffin et al.'s patent is January 7, 2002; the effective filing date of Watson's application is September 10, 2003, that is more than three months after the effective filing date of the patent.

Applicant is prima facie entitled to an award of priority over said patent because Exhibit 1 represents a drawing of a casing alignment tool (CAT system) invented by Philip Watson in December 2000. The drawing is dated December 2, 2000. The casing alignment tool shown in Exhibit 1 appears to have all elements claimed in at least Claims 1, 2 and 10 of patent No. 6,827,143, that is a "baseplate" designated as "bottom clamp back hooks onto wellhead," an "actuator" designated as "casing clamp" and a "power source connected to the actuator" designated by "air tugger to raise CAT tool and center casing."

The attached Declaration of Philip Watson establishes Applicant's conception of the invention sometime in December 2000, that is before the effective filing date of the patent. Watson's Declaration under 37 C.F.R. 131(a) describes in detail the applicant's appreciation of the problem, his earlier design and the test performed on his behalf by Mr. Patrick Perkins. The crude prototype built by Mr. Perkins based on the applicant's drawing appeared to have worked although some modifications had to be made to make the tool attractive to the rig owners and personnel. The actual reduction to practice of the first prototype illustrated in the December 2, 2000 drawing occurred well before the effective filing date of the patent.

Watson's Declaration further establishes the applicant's diligence in continuing to work on the concept until the applicant believed that the latest modifications resulted in an inexpensive, easy to operate casing alignment tool. Sometime in early June of 2003, Watson made further revisions in the two-arm design. The drawings illustrating the June 2003 embodiment are attached to Watson's Declaration as Exhibit 2. The three sheets of drawings and one page of description illustrate and describe in particular details the materials and sizes to be used when making the casing alignment tool using the two-arm system, as well as anticipated tightening and slacking of the air tugger line when creating a right angle lever.

Once the applicant reached that point, he caused an application filed with the U.S. Patent Office, with an effective filing date of September 10, 2003. The applicant did not conceal or abandon his invention but rather continued working on the tool design until he was satisfied with the modifications.

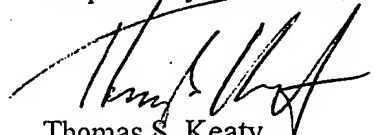
The corroborative Affidavit of Patrick Perkins supports the applicant's statement that sometime in late November of 2000 he discussed the problem of casing misalignment and his solution to the problem with Perkins. Perkins testifies that Watson's idea was "to have a two-arm

lever-type casing alignment tool. The arms of the tool are vertically spaced. One arm is attachable to a wellhead and used as a fulcrum. The other arm is attachable to the casing.” Perkins also corroborates Watson’s statement of the demonstration of the drawing dated December 2, 2000 to Perkins and Perkins appreciation of a workable invention as shown in the drawing and accompanied by Watson’s explanation. Perkins also corroborates Watson’s statement that a crude experimental prototype was built and tested on a rig sometime in late December 2000.

In view thereof, the applicant submits that the Applicant is prima facie entitled to an award of priority over patent No. 6,827,143. Please charge the required fee for presentation of extra independent claims to Deposit Account No. 11-0260.

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents Mail Stop Board of Patent Appeals and Interference Post Office Box 1450 Alexandria, VA 22313-1450</p> <p>On: <u>2-10-05</u> By: <u>Pamela Gautreaux</u> Pamela Gautreaux</p>
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Respectfully submitted,


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STATE OF LOUISIANA
PARISH OF TERREBONNE

AFFIDAVIT

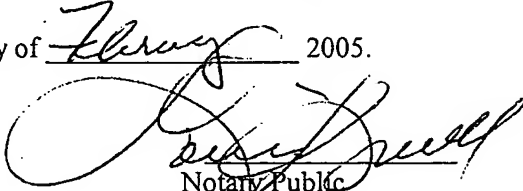
Before me the undersigned authority personally came and appeared Patrich Perkins, a person of the age of majority, personally known to me, who, having been first sworn, did depose and say:

1. My name is Patrick Perkins and my address is 147 Holiday Drive, Houma, Louisiana.
2. I have worked in the oilfield industry as a wellhead specialist for over 20 years.
3. I am familiar with the problem of casing misalignment, or casing centering that often occurs when running tubulars in a well bore. The casings become misaligned in relation to each other, which makes it extremely difficult to set the casing slips assembly. A lot of rig time is lost because of the misalignment problem. Conventional method of aligning the casings is to lodge a lever of some sort, for instance a pry bar, in the annular space between the casings and push on the inner casing until it achieves a relatively central position in the outer casing. Other methods employed in the oil field include the use of chains, cables, snatch blocks and air tuggers to move the casing into the centralized position. None of these methods present a safe solution to the problem.
4. Sometime in the spring of 2000, Philip Watson whom I have known for a number of years, discussed his casing alignment tool (CAT) with me. Watson's idea was to have a two-arm lever type casing alignment tool. I recall that Watson drew a rough drawing showing two arms, with one arm attached to the wellhead and another - pushing on the casing. The first arm was to be used as a fulcrum in cooperation with the wellhead.
5. After discussing his idea with me and asking me to keep it in confidence, Watson asked me to built a crude experimental prototype and test it on a wellhead job. In June of 2000, I was on a job where I could construct such prototype and test it. The test proved successful.
6. In early December of 2000, Watson showed me a drawing dated December 2, 2000, illustrating his casing alignment tool in better details. Watson indicated that he planned to use that drawing and description of the tool for a patent search.

Further affiant saith not.


Patrick Perkins

Sworn to and subscribed before me, this 4 day of February 2005.


Notary Public

My commission expires 12/1/06

LORRAINE KIMBRELL
NOTARY PUBLIC
8614



Hand-drawn diagram illustrating a mechanical device, likely a pump or engine component, with various parts labeled:

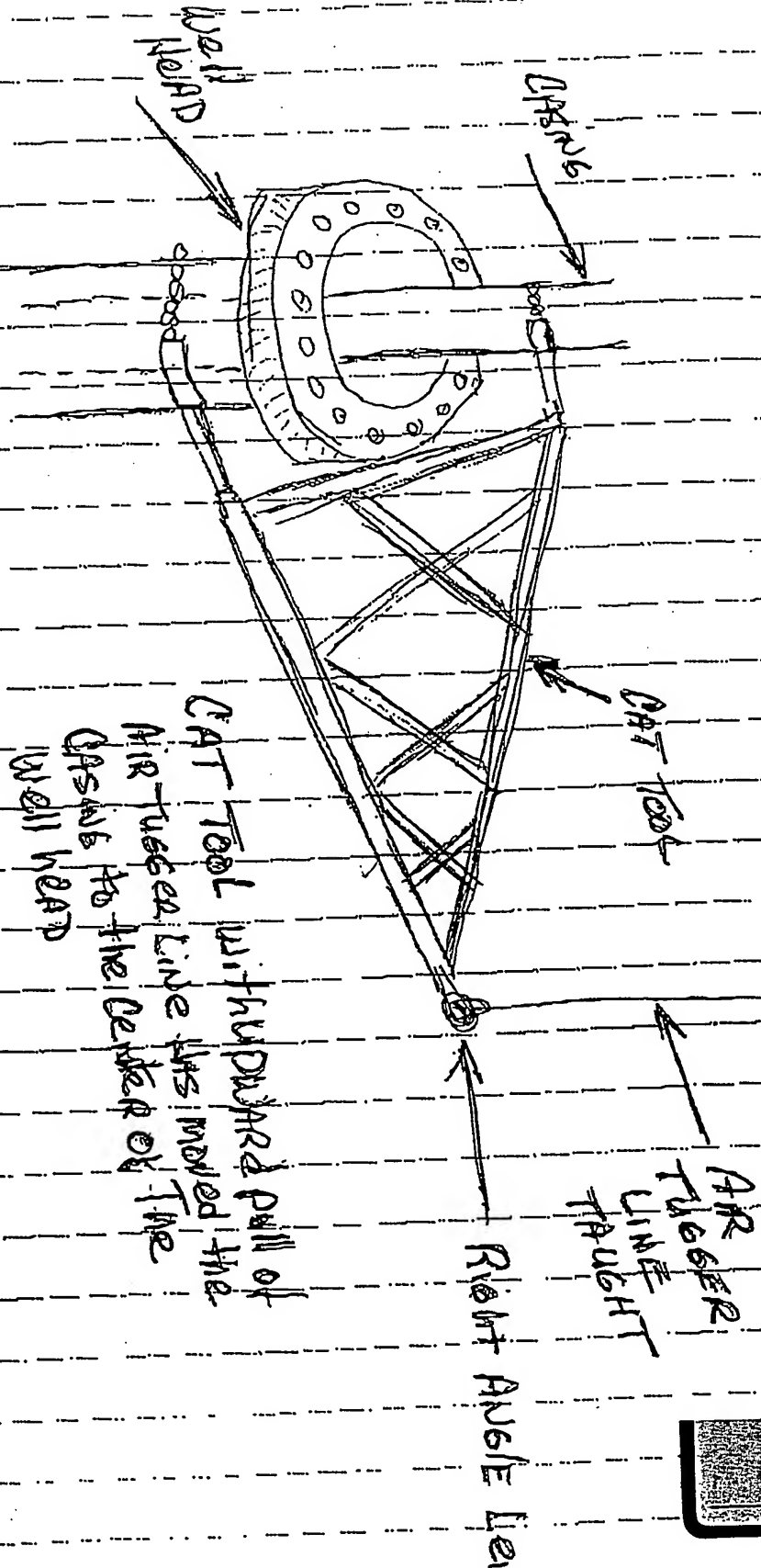
- Top Section:**
 - Wash Strap** (top right)
 - Crusie** (top left)
 - Crusie** (middle left)
 - Crusie** (middle right)
 - Crusie** (bottom right)
- Bottom Section:**
 - Crusie** (bottom left)
 - Crusie** (bottom right)
 - Crusie** (bottom center)
 - Crusie** (bottom left)
 - Crusie** (bottom right)
- Other Labels:**
 - Crusie** (top left)
 - Crusie** (top right)
 - Crusie** (middle left)
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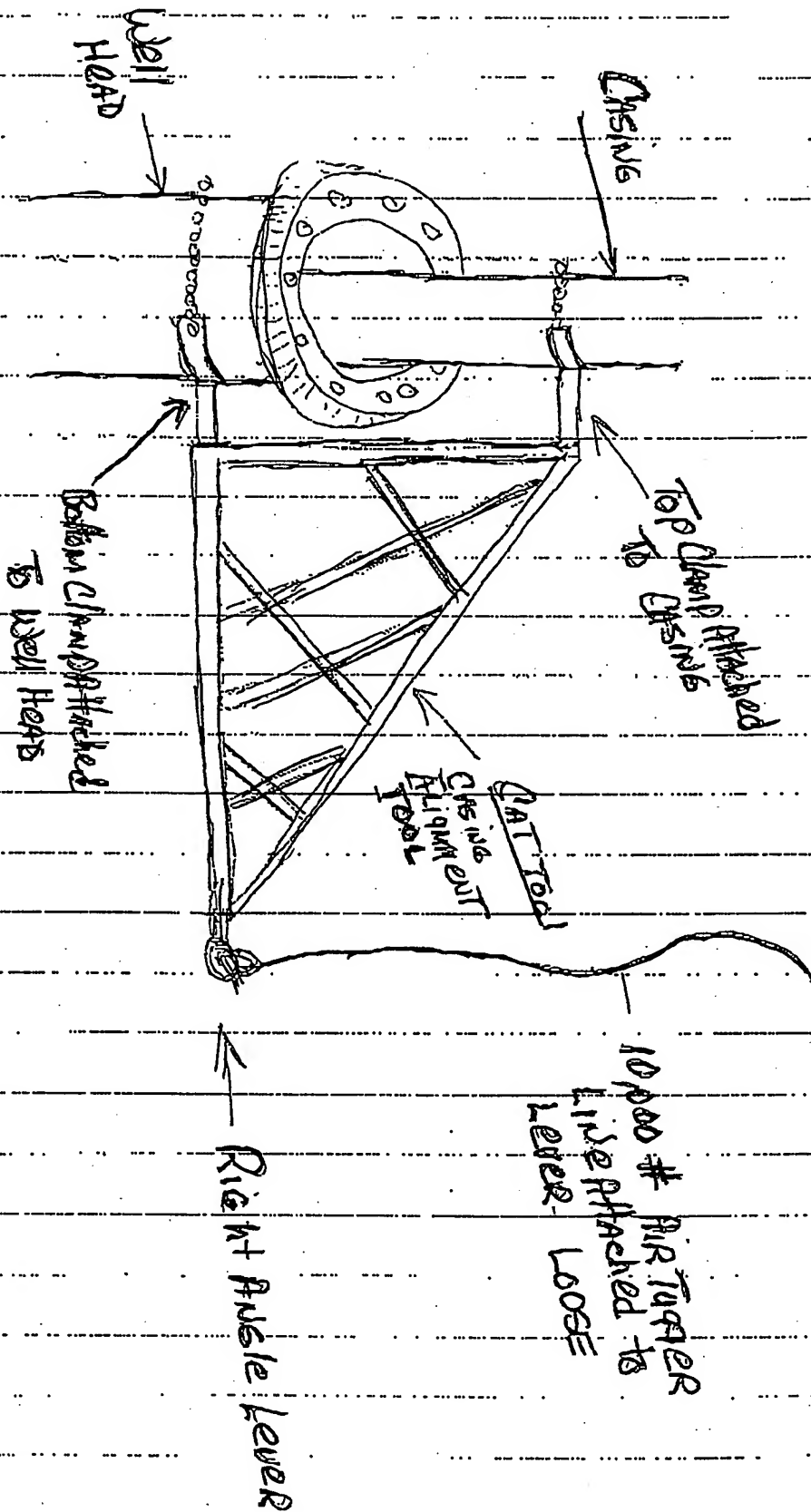
EXHIBIT

Crab Apple
" " " " " "
" Catfish " "

Dec 2, 2000
Philip Water!
Designer

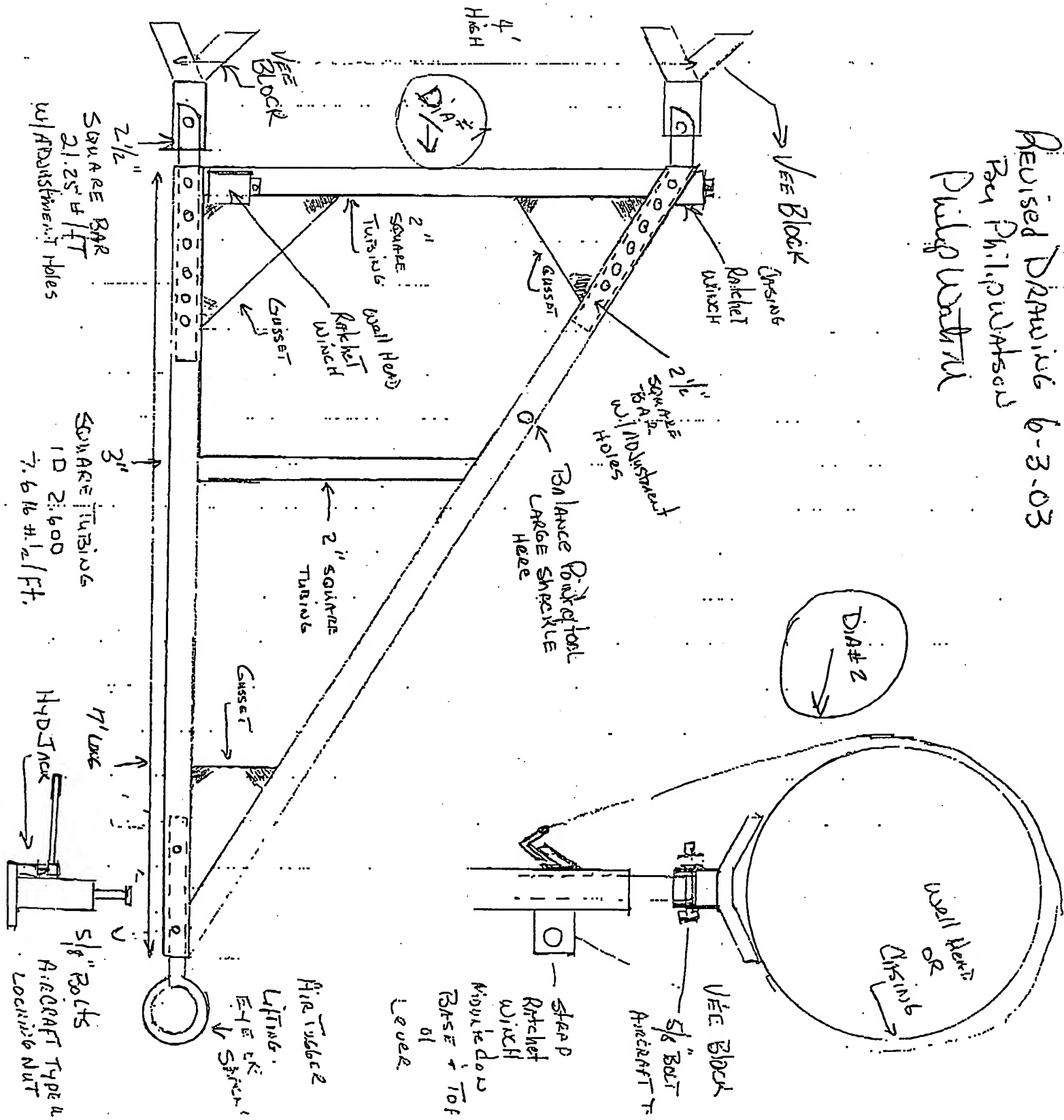
Page 1





CAT TOOL IN POSITION TO
MOVE CASING TO THE CENTER
OF THE WELL HEAD

Revised Drawing 6-3-03
 By Phil Johnson
 Phil Johnson



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CASING ALIGNMENT TOOL (CAT TOOL)

6.3-03

- ① CAT TOOL IS A RIGHT ANGLE TRIANGLE LEVER (DIA#1)
- ② CAT TOOL IS ATTACHED TO THE STATIONARY WELL HEAD USING A STRAP RATCHET WINCH - STRAP WINCH IS ATTACHED TO THE (DIA#2) LEVER. STRAP RAPS AROUND THE WELL HEAD AND HOOKED ONTO LEVER. AND RATCHET^{WINCH} IS USED TO TIGHTEN UP STRAP.
- ③ SAME PROCEDURE IS USED TO ATTACH LEVER TO THE MOVABLE CASING.
- ④ CAT TOOL IS CENTERED ON MIS ALIGNED CASING - ALIGNMENT IS NEEDED AS TO SET THE CASING HEAD SLIPS IN TO CASING HEAD SLIP RING.
- ⑤ Once CAT TOOL IS CENTERED ON MIS ALIGNED CASING THE LEVER CAN BE MOVED IN AN UPWARD WAY BY USING THE AIR TUGGER CABLE OR BY USING A HYDRAULIC OPERATED JACK TO MOVE THE LEVER UPWARD.
- ⑥ VEE BLOCKS ARE SHAPED AS TO ACCEPT ALL SIZES OF WELL HEADS AND CASING.
- ⑦ VEE BLOCKS ARE REMOVABLE AS PICTURED IN (DIA#1) AS TO FIT DIFFERENT WELL HEAD CONFIGURATIONS.
- ⑧ VEE BLOCKS ARE FASTENED TO RIGHT ANGLE LEVER AS TO PIVOT. THIS WILL KEEP VEE CLAMP BRACKET FROM BENDING WHEN LEVER IS MOVED UPWARD.
- ⑨ CAT TOOL IS CONSTRUCTED OUT OF SCHEDULE 40 PIPE.
- ⑩ Gussets IN ALL THREE CORNERS TO ADD TO STRENGTH OF TOOL.
- ⑪ CENTER SQUARE TUBE USED TO TIE IN THE LONG SIDES OF TRIANGLE AND ADD STRENGTH ALSO.
- ⑫ Quarter Moon Clamps ALSO CAN BE USED TO SECURE LEVER TO WELL HEAD OF CASING IS SHOWN IN EXHIBIT 111111 - DRAWING.